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Conference of the States Parties to the United Nations Convention against Corruption

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Seventh session
Vienna, 6-10 November 2017

Draft report

Rapporteur: Anna **Popova** (Bulgaria)

I. Introduction

1. In its resolution 58/4, the General Assembly adopted the United Nations Convention against Corruption. The Convention entered into force on 14 December 2005. In article 63, paragraph 1, of the Convention, the Conference of the States Parties to the United Nations Convention against Corruption was established, to improve the capacity of and cooperation between States parties to achieve the objectives set forth in the Convention and to promote and review its implementation.

II. Organization of the session

A. Opening of the session

2. The Conference held its seventh session in Vienna, from 6 to 10 November 2017. The Conference had resources at its disposal to provide for 10 meetings with interpretation into the official languages of the United Nations.

3. The outgoing President of the Conference commended the important work undertaken since the sixth session of the Conference. He stated that nearly all the country reviews under the first cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption had been completed, and he highlighted the progress made under the second cycle. He made reference to the impact of the Implementation Review Mechanism, which had led countries to improve domestic legislation, provide better protection for whistle-blowers and witnesses and create a more reliable legal basis for international cooperation in criminal matters. Conference resolution 6/5, entitled "St. Petersburg statement on promoting public-private partnership in the prevention of and fight against corruption", had also led to improved cooperation with the private sector: the United Nations Development Programme (UNDP) and the Siemens Integrity Initiative had initiated new activities with the private sector, a code of conduct for small and medium-sized enterprises had been developed and a recent expert group meeting had explored improvements in beneficial ownership transparency. He stressed that the fight against corruption, as reflected in the St. Petersburg statement, required the active cooperation of all States parties.

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4. The President of the Conference at its seventh session highlighted the importance of transparency and integrity of public administration for the credibility and legitimacy of the State, public ethics, justice and development. Political commitment of all States was needed to strengthen cooperation in preventive measures, simplify the proceedings for tracing, freezing, confiscating and recovering assets and eliminate safe havens and banking secrecy. She commended the Implementation Review Mechanism for being a useful tool for thoroughly analysing achievements, challenges and good practices in the implementation of the Convention. The President considered the Conference especially important with regard to asset recovery, because divided views still existed on many aspects of that important area, and more efficient coordination for day-to-day work on asset recovery was needed. Information-sharing on the location of alleged proceeds of corruption had to be improved, so that requesting States could initiate asset recovery action. Furthermore, practitioners needed to be made more familiar with the requirements of asset recovery in other jurisdictions. Civil society also had an important role to play in the fight against corruption.

5. The Executive Director of the United Nations Office on Drugs and Crime (UNODC) delivered a message to the Conference from the Secretary-General. The Secretary-General stressed the ubiquitous nature of corruption and its negative impact on human lives and societies. He highlighted that the 2030 Agenda for Sustainable Development could only be implemented with strong institutions based on the rule of law and supported by the public. He considered that the steps taken to combat high-level corruption in many countries were encouraging and he offered the ongoing support of the United Nations to States in their efforts to build a culture of integrity and the rule of law. He called for the active engagement of business and financial communities, civil society and young people, as well as government, corporate, religious and cultural leaders.

6. The Executive Director of UNODC, in his own remarks, made reference to the second edition of the publication *State of Implementation of the United Nations Convention against Corruption*, which reflected the implementation of the Convention based on the information generated during the first review cycle, demonstrating the implementation efforts, good practices and challenges identified. In the context of the Implementation Review Mechanism, a great majority of States had undertaken steps for legislative reform, noted the overall positive impact of the Mechanism on national anti-corruption efforts and reported an increase in their exchanges in matters of extradition and mutual legal assistance, using the Convention as a legal basis. The private sector and civil society were increasingly taking part in the country reviews. He highlighted that the insights generated by country reviews could also help guide technical assistance delivery and monitor progress towards achieving the targets of Sustainable Development Goal 16. The achievement of Goal 16 was also supported by the joint UNODC-World Bank Stolen Asset Recovery (StAR) Initiative. The Executive Director mentioned a number of initiatives undertaken by UNODC to strengthen the implementation of the Convention, including the development of a guide on strategies for corruption risk mitigation, the establishment of the Global Judicial Integrity Network as part of the Global Programme for the Implementation of the Doha Declaration and the publication of a handbook on anti-corruption measures in prison, as well as initiatives on education for justice, corruption and combating wildlife crime, corruption in sports and corruption helping to fuel violent extremism.

7. The representative of the Islamic Republic of Iran, speaking on behalf of the Group of 77 and China, underlined the role of the Conference and recalled the 2030 Agenda, as well as the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in April 2015. He welcomed the Global Programme to implement the Doha Declaration, stressed the

importance of preventive measures and welcomed action taken by States in the areas of awareness-raising, education and initiatives aimed at mobilizing young people. He expressed regret over the continued existence of barriers to asset recovery, such as lack of political will, unnecessary delays, procedural complexities, bureaucratic hurdles and legal barriers in requested States, as well as the high cost of asset recovery. He urged all States parties to facilitate the expeditious return of stolen assets, including those assets that had not been accounted for and that were found in safe havens, and requested the Secretariat to provide technical assistance in that regard. He considered the use of civil and administrative proceedings an effective tool for asset recovery and highlighted the need for regular follow-up to the recommendations of the subsidiary bodies of the Conference. He noted with satisfaction the functioning of the Implementation Review Mechanism and highlighted the need to provide technical assistance, upon request, to meet the needs identified in the reviews. He emphasized that the Implementation Review Mechanism required sustainable and predictable funding from the regular budget of the United Nations, in accordance with its terms of reference. He called upon all States parties to avoid unilateral actions and sanctions that might weaken the international cooperation framework and States parties' capabilities to fight corruption.

8. The representative of Argentina, speaking on behalf of the Group of Latin American and Caribbean States, stated that the region had given priority to the fight against corruption. That had been demonstrated by the Community of Latin American and Caribbean States, in particular through the specialized high-level meetings on prevention and the fight against corruption, and the Inter-American Convention against Corruption. He called for the generation of synergies between the Convention, the regional anti-corruption instruments and other relevant international forums. He reiterated the commitment of the Group to the Implementation Review Mechanism and its spirit of cooperation and trust, which had established a genuine community of anti-corruption experts. He called on States to open a channel through which they could report on progress made in the implementation of the recommendations made in the first cycle, in accordance with the terms of reference of the Mechanism, and highlighted capacity-building and the coordination of technical assistance at the regional and global levels, as well as South-South cooperation. With regard to prevention, he highlighted, inter alia, the participation of the private sector, academia and civil society, access to information, awareness-raising and education and the strengthening of political will to achieve swift and unconditional asset recovery and return. Among the important requirements mentioned for successful asset recovery were civil and administrative proceedings, a better mutual understanding of the legislation and proceedings on asset recovery, early freezing measures and relevant networks. He recognized the work undertaken by UNODC, including through the StAR Initiative, in that regard. He highlighted the importance of the participation of civil society in the fight against corruption, in accordance with article 63 of the Convention.

9. The representative of Angola, speaking on behalf of the Group of African States, reaffirmed the commitment of the African States to combating corruption and illicit financial flows. She expected tangible results to be achieved from the Implementation Review Mechanism, especially its second review cycle, and highlighted the need for technical assistance in that regard. The representative noted the detrimental effect that the lack of financial resources had had on assisting developing countries in undertaking the review and called upon donors to make available greater unearmarked extrabudgetary contributions. She reiterated the importance of developing effective policies and practices to prevent corruption and emphasized the issue of asset recovery, in particular the repatriation of stolen assets to the countries of origin. She noted with appreciation relevant international meetings and initiatives on asset recovery, while at the same time highlighting challenges in the recovery of stolen assets, such as differences in legal systems, multi-jurisdictional complexity, lack of political will and cooperation, and cumbersome procedures. She urged all States parties to eliminate safe havens and lift bank secrecy to facilitate asset return, and she

stressed the need for strengthened international cooperation in realizing the objectives of the Convention.

10. The representative of Thailand, speaking on behalf of the Group of Asia-Pacific States, emphasized the importance of preventing and combating corruption and reaffirmed the Group's collective efforts in that regard in order to realize the Sustainable Development Goals, in particular Goal 16. He acknowledged the universality of the Convention against Corruption and welcomed with satisfaction the performance of the Implementation Review Mechanism. He stated that challenges remained for the Mechanism because of a lack of resources and he called on States to provide the necessary funding. The representative underlined the importance of preventing corruption and recognized the positive impact of the Marrakech declaration[1] and its follow-up. He acknowledged the significance of asset recovery and stressed the need for enhanced international cooperation. He also underscored the importance of technical assistance and requested the continued provision of capacity-building. Lastly, he stressed the importance of international cooperation, in particular the use of civil and administrative proceedings, and encouraged States parties and UNODC to step up efforts to address corruption-related challenges.

11. The representative of the European Union noted the threats posed by corruption to democracy, security and social development, and he highlighted the importance that combating corruption had on the agenda of the European Union. He reported on the measures taken by the European Union to tackle corruption, as well as on its cooperation projects and its forthcoming financial contribution to the Implementation Review Mechanism. He shared the experience of the European Union in witness protection, beneficial ownership identification, mutual recognition of freezing orders, non-conviction-based confiscation, public procurement, trade and investment policies and information-sharing. He stated that the Implementation Review Mechanism should be transparent, efficient, inclusive and cost-efficient and create further synergies with other anti-corruption review mechanisms. He also highlighted the importance of civil society organizations in promoting the objectives of the Convention and encouraged their participation and involvement in the second review cycle. The representative reaffirmed the European Union's commitment to promoting international cooperation and building global partnerships with UNODC and other stakeholders.

B. Election of officers

12. At its 1st meeting, on 6 November 2017, the Conference elected by acclamation Thelma Esperanza Aldana Hernández de López (Guatemala) as President of the Conference.

13. At the same meeting, the following three Vice-Presidents and Rapporteur were elected by acclamation:

Vice-Presidents:	Vivian N.R. Okeke (Nigeria) Ignacio Baylina Ruiz (Spain) Abu Zafar (Bangladesh)
Rapporteur:	Anna Popova (Bulgaria)

C. Adoption of the agenda and organization of work

14. Also at its 1st meeting, the Conference adopted the following agenda for its seventh session:

1. Organizational matters:

   (a) Opening of the seventh session of the Conference;

[1] Conference of the States Parties resolution 4/3.

(b) Election of officers;

(c) Adoption of the agenda and organization of work;

(d) Participation of observers;

(e) Adoption of the report of the bureau on credentials;

(f) General discussion.

2. Review of the implementation of the United Nations Convention against Corruption.

3. Technical assistance.

4. Prevention.

5. Asset recovery.

6. International cooperation.

7. Other matters:

(a) Implementation of article 63, paragraphs 4 (c) and (d), concerning cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations; as well as appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption, in order to avoid unnecessary duplication of work;

(b) Status of ratification of and notification requirements under the Convention.

8. Provisional agenda for the eighth session.

9. Adoption of the report.

D. Attendance

15. The following States parties to the Convention were represented at the seventh session of the Conference: Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Central African Republic, Chile, China, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Niue, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

16. The Syrian Arab Republic, a State signatory to the Convention, was represented by an observer.

17. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the session.

18. The following Secretariat units, United Nations entities, funds and programmes, institutes of the United Nations crime prevention and criminal justice programme network, specialized agencies and other organizations of the United Nations system were represented by observers: Department of Political Affairs of the Secretariat, United Nations Commission on International Trade Law, UNDP, United Nations Global Compact, United Nations Human Settlements Programme, secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Basel Institute on Governance, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, International Monetary Fund and World Bank.

19. The Sovereign Military Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented.

20. The following intergovernmental organizations were represented by observers: Asian-African Legal Consultative Organization, Cooperation Council for the Arab States of the Gulf, Council of Europe (Group of States against Corruption), European Bank for Reconstruction and Development, European Public Law Organization, International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL), International Institute for Democracy and Electoral Assistance, International Organization for Migration, League of Arab States, Organization for Economic Cooperation and Development, Organization for Security and Cooperation in Europe, Regional Anti-Corruption Initiative, Shanghai Cooperation Organization, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies and World Customs Organization.

21. The following non-governmental organizations in consultative status with the Economic and Social Council were represented by observers: Africa Culture International, African Youth Movement, Article 19: International Centre against Censorship, Center for International Human Rights, Centre d'observation et de promotion de l'état de droit, Environmental Investigation Agency, Geopolitikai Tanács Közhasznú Alapítvány, Global Financial Integrity, Global Organization of Parliamentarians against Corruption, HEDA Resource Centre, International Council of Women, Organização das Famílias da Ásia e do Pacífico, Parliamentarians for Global Action, Socialist International Women, Transparency International, United Cities and Local Governments, World Wide Fund for Nature International and Zonta International.

22. In accordance with rule 17 of the rules of procedure, the Secretariat circulated a list of relevant non-governmental organizations not having consultative status with the Economic and Social Council that had applied for observer status. Invitations were subsequently sent by the Secretariat to relevant non-governmental organizations. The following other relevant non-governmental organizations were represented by observers at the seventh session of the Conference: African Institute of Corporate Citizenship; Alliance of NGOs on Crime Prevention and Criminal Justice; Anti-Corruption Front; Anti-Corruption Organization, Cameroon; Association de lutte contre le racisme, l'ethnocentrisme et le régionalisme; Bahrain Transparency Society; British School of Outdoor Education; Centre d'étude et de recherches en sciences sociales; Centre de recherche et d'action pour la paix; Centre for Sustained Dialogue Nigeria; Centre for Youth Initiative on Self-Education; Civil Forum for Asset Recovery; Climate and Environmental Development Initiatives, Nigeria; Coalition contre la corruption en Mauritanie; Coalition for Integrity and Accountability (AMAN); Coalition of the Civil Society Friends of the United Nations Convention against Corruption (also known as the UNCAC Coalition); Committee for Democracy and Rights of the People; Cooperacion y Desarrollo, Equatorial Guinea; Development Animation Programme; EARTH (Empathetic Activism Related to Humanity), India; Environment for Life; Forum du Justiciable; Friends of the Uth for Service, Empowerment and Development; Global Initiative against Transnational Organized Crime; Global Network for Good Governance; Independent Service

Delivery Monitoring Group; Iniciativa para Democracia e Cidadania; Institute of Regional and Political-economical Problems; Instituto de Directores de Moçambique; Integrity Nigeria; Integritätsmonitoring Anti-Korruptions-Initiative für Nigeria; International Academy of Organizational Behaviour Management; International Agency for Crime Prevention, Criminal Law and Jurisdiction; International Forum on Crime and Criminal Law in the Global Era of the China Behaviour Law Association; Interregional Public Organization for Promoting the Improvement of Public Administration and Anti-Corruption Policy "Sodejstvie"; Libyan Transparency Association; Local Community Development Assocation; Mouvement pour la lutte contre l'injustice; National Centre for Human Rights and Democratic Development; Observatoire de lutte contre la corruption et les malversations économiques; Pan African Lawyers Union; Programme d'appui aux actions rurales de développement industriel et commercial; Royal Integrity and Accountability Organization; Réseau national de lutte anti-corruption; Sajha Foundation; Sanctity Transparency and Peace Initiative; Society for Human Rights and Prisoners' Aid; Socio-Legal Aid Research and Training Centre; Solidarity Development Organization, Cameroon; United for the Protection of Human Rights, Women and Children Affairs, Sierra Leone; United Youth for Growth and Development; Welfare Association for the Development of Afghanistan; Wildlife Justice Commission; and Women Protection Organization.

E. Adoption of the report of the Bureau on credentials

23. Rule 19 of the rules of procedure provides that the Bureau of any session shall examine the credentials of representatives and submit its report to the Conference. Rule 20 provides that, pending a decision of the Bureau upon their credentials, representatives shall be entitled to participate provisionally in the session. Any representative of a State party to whose admission another State party has made objection shall be seated provisionally with the same rights as other representatives of States parties until the Bureau has reported and the Conference has taken its decision.

24. The Bureau informed the Conference that, of the 158 States parties represented at the seventh session, 150 States were in compliance with the credentials requirements. Eight States parties, namely, Colombia, Cuba, Mauritania, Nicaragua, Niger, Rwanda, Uruguay and Zambia, were not in compliance with rule 18 of the rules of procedure. The Bureau emphasized that it was the obligation of each State party to submit the credentials of representatives, in accordance with rule 18, and called on those States parties that had not yet done so to provide the Secretariat with original credentials as soon as possible but not later than 17 November 2017.

25. The Bureau reported to the Conference that it had examined the written communications received and found them to be in order.

26. The Conference adopted the report of the Bureau on credentials at its [...] meeting, on 9 November 2017.

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Addendum

II. Organization of the session

F. General discussion

1. At the 1st to 4th meetings, on 6 and 7 November 2017, the Conference of the States Parties considered agenda item 1 (f), entitled "General discussion". The President of the Conference and Mr. Zafar, in his capacity as Vice-President of the Conference, co-chaired the discussion.

2. Speakers stressed the transnational nature of corruption and its devastating effects on political, economic and social development, as well as on democratic governance, the rule of law, human rights, equality (including gender equality) and security. Speakers noted that corruption impeded sustainable development, drained necessary resources from public services, increased political instability, undermined democratic institutions, contributed to conflict, facilitated environmental damage and impeded the ability of States to deliver public services and to address climate change and poverty. Speakers emphasized the linkages between corruption and organized crime, terrorism and other serious criminal activity.

3. Speakers welcomed the States parties that had recently ratified or acceded to the Convention, emphasizing that the Convention remained the comprehensive global legal framework for the prevention and fight against corruption. They considered the Conference and its subsidiary bodies as important forums for exchanging experiences and good practices, strengthening their shared commitment and reaching consensual decisions for the future. Several speakers referred to the 2030 Agenda for Sustainable Development, especially Sustainable Development Goal 16, which provided a welcome impetus in the fight against corruption by linking anti-corruption efforts with the broader, cross-cutting objectives of sustainable development.

4. Speakers also referred to a number of other international and regional documents and bodies. The Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, was identified as an important milestone for strengthening the rule of law, justice and equality, as well as for countering corruption. Speakers referred to the Arab Anti-Corruption Convention and

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the Inter-American Convention against Corruption as regional instruments to prevent and combat corruption. General Assembly resolution 71/208, entitled "Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption", was also highlighted. The Anti-Corruption Network of the Organization for Economic Cooperation and Development (OECD), the Group of States against Corruption and the International Anti-Corruption Academy (IACA) were also noted.

5. A number of speakers reported on positive outcomes from undergoing and participating in country reviews. Some speakers reported on the establishment of bodies or committees to further the implementation of the Convention as part of the follow-up to the review process, including in some cases the participation of civil society and the strengthening of existing institutions such as anti-corruption agencies, supreme audit institutions and the office of the ombudsman. Speakers called for measures to ensure stable, reliable sources of funding for the operation of the Implementation Review Mechanism.

6. Many speakers reported on the positive reforms that their countries had implemented as a result of recommendations emerging from the first review cycle, including the adoption or amendment of relevant criminal legislation, efforts to strengthen the rule of law, the establishment of specialized anti-corruption courts, the strengthening of witness and whistle-blower protection programmes and the adoption of measures to facilitate access to justice and increase transparency in the criminal justice sector. States noted the adoption of enhanced penalties for corruption crimes, including increased sentences of incarceration and the lengthening of statutes of limitations and the disqualification of offenders from holding future public office. One speaker referred to the inclusion of specific anti-corruption clauses in the awarding and implementation of public contracts. Another speaker reported measures to strengthen the capacity of national institutions to gather relevant statistics and produce reports on the effectiveness of anti-corruption measures.

7. Many speakers welcomed the launch of the second cycle of the Implementation Review Mechanism and reported activities and proactive measures to support the self-assessment process in advance of the review, including efforts to identify challenges and gaps. Some speakers referred to specific measures taken prior to the second cycle to prevent and detect money-laundering and financing of terrorism, increase transparency of beneficial ownership and strengthen regulation of financial institutions and the elimination of tax havens and facilitation payments. Speakers emphasized that the Mechanism was a useful, transparent process that was both inclusive and impartial.

8. Speakers described the work of national bodies, committees and specialized agencies to develop, launch and implement national policies and strategies aimed at strengthening integrity and countering corruption. Speakers stressed that in many cases such policies and strategies were grounded in national sustainable development strategies and national visions adopted in the context of the 2030 Agenda for Sustainable Development. Speakers described the inclusion in such strategies of recommendations from the first review cycle as well as priorities and challenges identified through national consultation processes involving stakeholders from the public and private sectors and civil society.

9. Many speakers highlighted that their Governments required technical assistance in order to be able to effectively implement the Convention. Country-led, integrated and coordinated approaches to technical assistance, based on the sharing of information and international good practices, were also welcomed. Many speakers noted with appreciation the tools developed and the assistance provided by UNODC, the Stolen Asset Recovery (StAR) Initiative, the United Nations Development Programme (UNDP) and the United Nations Pacific Regional Anti-Corruption Project and called upon UNODC to continue to support such efforts. Speakers highlighted the need for technical assistance in relation to legislative reform, capacity-building,

conducting financial investigations, establishing and strengthening systems on declarations of assets and interests, asset recovery and the management of seized assets. Speakers also underlined the importance of technical assistance to support the implementation of the Convention in small island developing States.

10. Speakers concurred that all sectors of society had to work together for the fight against corruption to be successful. A number of speakers commended the participation of non-governmental organizations in preventing and combating corruption. Several speakers acknowledged the importance of involving different elements of societies and highlighted the role of youth, academia, parliamentarians, religious groups and the media in preventing and raising awareness of corruption. In that context, several speakers reported on legislative reforms to facilitate the participation of civil society in the fight against corruption.

11. Some speakers noted the collaboration of their Governments with the private sector, including in the form of public-private partnerships, while others specifically referred to the need to protect entrepreneurs from extortion, fraud and corruption. Speakers underlined the important role of the private sector in the prevention of corruption and described measures that States had taken in that regard, including through the development and distribution of guides for private sector companies operating at the national and international levels to promote and strengthen corporate responsibility. Speakers also reported on measures to strengthen fair competition and increase transparency in public procurement processes. The need to fight corruption in the defence industry, the health sector and in sport was also stressed.

12. A number of speakers referred to the measures undertaken in their countries to prevent corruption, including adopting and implementing comprehensive national anti-corruption strategies and plans, and the establishment and strengthening of anti-corruption bodies. The development of codes of conduct and integrity, including at the national and institutional levels, was also reported, as was the adoption of leadership codes. Speakers described the establishment of the posts of ethics and integrity officers in the public sector. The responsibilities of such officers could include applying ethics compliance tools or overseeing a gift registry. Speakers noted the role of accountability mechanisms in ensuring that such codes and standards were followed, particularly in criminal justice institutions such as the police, the prosecution and the judiciary. In that regard, reference was made to the efforts of UNODC to establish the Global Judicial Integrity Network.

13. Some speakers noted measures taken to implement asset-disclosure systems, prevent corruption and conflicts of interest in public procurement and increase transparency and accountability in the management of public finances. The training of officials through specialized institutions and courses was also underlined as a key activity to enhance prevention efforts. In addition, education at all levels on corruption and ethics was highlighted by several speakers as critical to instilling the values of integrity, honesty and accountability in children and youth, with a view to supporting the building of a culture of lawfulness and the prevention of corruption. Speakers highlighted efforts by UNODC to develop and introduce anti-corruption curricula at the university level.

14. Speakers noted the importance of establishing mechanisms, in particular hotlines and online portals, for reporting instances of corruption. Measures and campaigns to increase public awareness of the negative impacts of corruption on society were described, and the importance of holding offenders accountable was emphasized. One speaker noted the establishment of a platform to facilitate dialogue between government institutions and the general public on preventing and countering corruption. Another speaker referred to the right of corruption victims to lodge civil reparation claims as a part of criminal proceedings. Speakers also referred to mechanisms for reporting corruption by public officials or by those working in the financial service and banking sectors. Several speakers described mechanisms for ensuring the protection of whistle-blowers and reporting persons.

15. Several speakers called for the development and implementation of comprehensive corruption risk assessments for public and private sector institutions. Some speakers emphasized the need to identify methodologies and analytical tools for the measurement of both corruption and the progress made in addressing it. Other speakers reported sector-specific approaches to the identification and management of risks of corruption. One speaker called for the development and adoption of objective, international transparency indicators that were not based on public perceptions but on analytical data and evidence.

16. Speakers highlighted the importance of involving local governmental institutions in the prevention of corruption, and some speakers described the development of toolkits for use by national and local government bodies to complement anti-corruption efforts taking place at the national level. Some speakers noted the important roles of coordination and cooperation among stakeholders in establishing common and effective approaches to the prevention of corruption, including through the convening of public councils to share views and insights between the general public and government institutions. One speaker noted the creation of an alliance for transparency, comprising representatives from the public sector and civil society. Speakers described measures to strengthen the effectiveness and efficiency of public service delivery through public administration reform, open government initiatives, e-government, access to public information and one-stop shops easily accessible to the public.

17. Ending impunity was considered to be one of the most important aims of the fight against corruption. Some speakers reported on the establishment of specialized anti-corruption investigation authorities, including financial investigation units, auditor offices and general inspectorates, as well as anti-corruption courts and adjudicative bodies. One speaker referred to the establishment of special courts to resolve disputes involving foreign investment groups. Speakers noted the need to strengthen the capacity of investigative and law enforcement bodies, as well as public prosecution, in order to better investigate and prosecute corruption cases, and noted also the importance of ensuring the integrity and independence of the judiciary. Some speakers noted the role of specialized anti-corruption bodies with jurisdiction to conduct corruption investigations. One speaker described a national law that subjected serious corruption crimes to universal jurisdiction. Another speaker stressed the need to tackle large-scale corruption, which permeated the highest level of decision-making.

18. Some speakers shared experiences of successful asset recovery and extradition cases, as well as challenges in the identification, seizure and return of stolen assets. The assistance provided in specific cases through the StAR Initiative and by INTERPOL was noted. Speakers noted the lengthy and burdensome extradition process, and called upon States to assist in facilitating and simplifying mutual legal assistance and extradition, including by using as a legal basis the provisions of chapter IV of the Convention. One speaker called for the adoption of a model agreement on mutual legal assistance to facilitate asset recovery. Another speaker called for the development of an international instrument on asset recovery and possibly mutual legal assistance. Other speakers reported on measures to facilitate and strengthen the confiscation, forfeiture and return of proceeds of crime and corruption. Speakers underlined the importance of the identification and interdiction of illicit financial flows across international borders, and one speaker called for the establishment of an international mechanism to facilitate the sharing and reporting of information in that regard.

19. Many speakers referred to the importance of sharing experiences, information and good practices, including through regional organizations, initiatives and networks and of multi-stakeholder approaches. Regional bodies or forums were identified as playing an important role in building consensus and fostering strong political will in the fight against corruption. One speaker noted the upcoming Summit of the Americas, to be held in Lima in April 2018, and would have as its central theme the eradication of corruption. One speaker highlighted the exchange of information and

criminal intelligence through the Association of Pacific Island Financial Intelligence Units. Speakers also noted the importance of bilateral and regional agreements and memorandums of understanding to facilitate transnational criminal investigations and the sharing of good practices. Numerous speakers highlighted the need to promote cooperation and the sharing of experiences or knowledge at the bilateral and international levels.

20. A representative of the Sovereign Order of Malta emphasized that the implementation of the Convention was a means to achieve the Sustainable Development Goals that addressed organized crime and combating terrorism. A representative of the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora underlined that corruption facilitated wildlife crime and trafficking and also underlined the importance of joint and concerted efforts to prevent and fight such corruption. The representative of UNDP emphasized the partnership of UNDP and UNODC to assist States parties in the implementation of the Convention and described national and regional anti-corruption initiatives. A representative of IACA described the work of the Academy and its ongoing activities and programmes. The representative of the International Institute for Democracy and Electoral Assistance stressed that corruption undermined democratic political processes and institutions and emphasized the need to increase transparency and accountability in the funding of political parties. A representative of the Global Organization of Parliamentarians against Corruption discussed how partnerships between parliamentarians and other stakeholders could support the fight against corruption. A representative of Transparency International described the important role that civil society played in the prevention of and fight against corruption. The Chair of the Coalition of the Civil Society Friends of the United Nations Convention against Corruption (the UNCAC Coalition) underlined the importance of civil society participation in anti-corruption meetings and initiatives at both the national and international levels. The representative of the World Customs Organization (WCO) described the Organization's activities, instruments and tools to promote integrity and accountability in the customs sector. A representative from the Libyan Transparency Association described activities at the national level to promote integrity, transparency and accountability and to counter corruption.

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Addendum

III. Prevention

1. At its 7th meeting, on 7 November 2017, the Conference considered agenda item 4, entitled "Prevention".

2. The President of the Conference and two Vice-Presidents of the Conference, Ms. Okeke and Mr. Zafar, chaired the discussion. In his introductory remarks, Mr. Zafar, recalled the resolutions dealing with preventive measures that had been adopted by the Conference at its sixth session, namely resolutions 6/5, 6/6, 6/7, 6/8, 6/9 and 6/10. He acknowledged the efforts of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, which, in its meetings in 2016 and 2017, had addressed the following topics: the use of information and communications technologies for the implementation of the Convention; the protection of integrity in sport; education in schools and universities on anti-corruption efforts; and integrity in criminal justice institutions.

3. A representative of the Secretariat updated the Conference on progress made in the implementation of resolution 6/6, entitled "Follow-up to the Marrakech declaration on the prevention of corruption". She provided information on the technical assistance initiatives of UNODC at the national, regional and global levels to support States parties in the prevention of corruption, including support for the development of national anti-corruption strategies, capacity-building for anti-corruption bodies and other practitioners, targeted legislative assistance, support for the strengthening of integrity in the justice sector and the promotion of anti-corruption education. She announced the launch by UNODC of a new handbook on anti-corruption measures in prisons and highlighted the support given by the Office to civil society and efforts to raise public awareness of corruption and to promote the role of the private sector in preventing corruption.

4. The representative of the Secretariat also updated the Conference on the progress made in the implementation of resolution 6/9, entitled "Strengthening the implementation of the United Nations Convention against Corruption in small island developing States". She underlined the importance of the participation of small island developing States in the Implementation Review Mechanism and the sharing of best practices in anti-corruption reform. She provided information on the technical

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assistance initiatives of UNODC, States parties and other donors to support small island developing States in the prevention of corruption.

5. Several speakers reported on their activities to prevent corruption, particularly the enactment, revision and updating of anti-corruption and anti-money-laundering legislation, including in relation to the protection of whistle-blowers and reporting persons, the liability of legal persons and the establishment of anti-corruption agencies. One speaker noted the possibility of using tax reforms to promote transparency.

6. Some speakers noted efforts to strengthen the integrity of the public sector through the training and education of public officials, the development and implementation of codes of ethics and the adoption and improvement of electronic asset declaration systems. Several speakers highlighted the need to facilitate the reporting of corruption cases by citizens and public officials.

7. Speakers highlighted initiatives to draft and implement comprehensive national anti-corruption strategies that included wide-ranging measures to prevent corruption. Some speakers also reported on corruption risk assessments conducted at different levels of government, as well as on efforts to measure the effectiveness of risk mitigation measures that had been adopted. One speaker noted the establishment of integrity assessments for both public officials and institutions.

8. One speaker reported on the establishment of an international partnership against corruption in sports, led by a group of international organizations, countries and the International Olympic Committee.

9. Some speakers reported on measures to promote integrity in the judiciary. One speaker underscored measures that had been adopted to safeguard judicial independence, in particular relating to the appointment of judges. Speakers also informed the Conference about the adoption of codes of ethics for court personnel, measures to improve court and case management procedures and internal control systems for the judiciary. One speaker referred to the drafting of transparency principles for the judiciary to assist in the implementation of article 11 of the Convention.

10. Several speakers underscored the role of the private sector in preventing corruption and the need to promote coordinated action. One speaker reported on the adoption of codes of ethics for the private sector, while other speakers highlighted reforms undertaken to increase transparency in the private sector.

11. Several speakers described recent reforms to promote access to public information by the adoption of legislation to ensure freedom of information, the proactive disclosure of information through online transparency portals and the establishment of independent bodies to monitor, promote and facilitate access to information.

12. Many speakers emphasized the need for the inclusion of civil society organizations, academia, private sector, media and other stakeholders in the wide range of initiatives and mechanisms necessary for the implementation of chapter II of the Convention. Speakers noted the positive role of civil society organizations, as well as the opportunities for partnerships, in preventing corruption.

13. Several speakers emphasized the importance of education at all levels for the prevention of corruption and described efforts in their countries to integrate anti-corruption into the curricula of public and private schools and universities. Speakers informed the Conference about the creation of learning centres and open libraries to increase opportunities for anti-corruption learning and education. One speaker welcomed the Education for Justice initiative, established by UNODC. Many speakers reported on campaigns to raise awareness, especially through the use of social media, about anti-corruption efforts, in particular their potential to reach the general public.

14. Some speakers highlighted new uses of information and communications technologies, including social media and mobile telephone applications, to increase the participation of citizens, identify innovative solutions to prevent corruption and promote transparency and accountability, including in relation to overseeing the implementation of social policies and monitoring the quality of public services. In particular, some speakers reported on the adoption of electronic payment systems as a means of preventing funds from being diverted by public officials and the establishment of digital asset disclosure and declaration systems, as well as electronic management and compliance systems for the public sector.

15. Speakers underscored the role and importance of the Implementation Review Mechanism in assisting States parties in identifying recommendations on and good practices in the implementation of chapter II of the Convention. A number of speakers requested technical assistance in strengthening measures to prevent corruption, including in relation to training and the adoption of national anti-corruption strategies. Many speakers welcomed the technical assistance being provided by UNODC and described projects and activities being implemented with its support.

16. A representative of the European Public Law Organization informed the Conference about multidisciplinary educational programmes of that organization for graduates and practitioners, highlighting the need to ensure transparency and good governance.

17. A representative of the UNCAC Coalition called upon States parties to strengthen mechanisms to promote access to public information, procurement and budgetary procedures, asset declarations and the participation of civil society. A representative of the Observatory for the Fight against Corruption and Economic Embezzlement informed the Conference about the activities of the Observatory to raise awareness about the Convention and called for improvements in providing access to information. A representative of the Institute for Global Financial Integrity addressed the issue of transparency of beneficial ownership of corporations and encouraged States parties to collect information on such ownership and to make it available to law enforcement agencies upon request.

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Addendum

IV. Asset recovery and international cooperation

1. At its 7th meeting, on 8 November 2017, the Conference considered agenda items 5, "Asset recovery", and 6, "International cooperation".

2. The President of the Conference chaired the debate. In her introductory remarks, she recalled Conference resolutions 6/2, entitled "Facilitating international cooperation in asset recovery and the return of proceeds of crime", 6/3, entitled "Fostering effective asset recovery", and 6/4, entitled "Enhancing the use of civil and administrative proceedings against corruption, including through international cooperation, in the framework of the United Nations Convention against Corruption".

3. A representative of the Secretariat provided an update on the activities carried out in the area of asset recovery. He introduced the note by the Secretariat on identifying victims of corruption, spontaneous sharing of information and the use of settlements and other alternative mechanisms (CAC/COSP/2017/8). Reference was also made to the note by the Secretariat on good practices in identifying the victims of corruption and parameters for their compensation (CAC/COSP/2017/11). In addition, information was provided on activities carried out to develop cumulative knowledge, build confidence between requesting and requested States and provide capacity-building and technical assistance to States. The representative made reference to a conference room paper containing a summary of the study on effective management and disposal of seized and confiscated assets.

4. A representative of the StAR Initiative reported that the Initiative, which had celebrated its tenth anniversary in 2017, had strengthened its international efforts on asset recovery through a combination of country engagements, policy influence, partnerships and regional activities, knowledge and innovation, as well as advocacy and communications. She made specific reference to the upcoming Global Forum on Asset Recovery, to be held in Washington, D.C., from 4 to 6 December 2017, which would serve as a venue for the advancement of asset recovery. It was to be co-hosted by the United Kingdom and the United States and was an outcome of the Anti-Corruption Summit held in London in May 2016. The StAR Initiative was working closely with the Global Forum's four focus countries (Nigeria, Sri Lanka, Tunisia and Ukraine) to prepare the case consultation meetings that would be organized during the event. The Initiative had further created knowledge products, including a new financial disclosure guide, supported practitioner networks and organized about

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25 direct country engagements. The country engagements had focused on, inter alia, tactical analysis and establishment of an asset recovery strategy, assistance with setting up asset recovery units, training for investigators, prosecutors and judges, case management advice, facilitating contacts with other jurisdictions and the placement of mentors. As the second cycle of the Implementation Review Mechanism became operational, more countries were identifying gaps in their asset recovery frameworks, and the representative said that the StAR Initiative stood ready to assist States parties in working towards full implementation of chapter V of the Convention.

5. A representative of the Secretariat provided an update on the activities carried out to enhance international cooperation and on the outcomes of the sixth open-ended intergovernmental expert meeting to enhance international cooperation under the Convention. He introduced the note by the Secretariat on international cooperation in civil and administrative proceedings for the detection of offences established in accordance with the Convention (CAC/COSP/2017/2). He also referred to the note by the Secretariat on analysis of technical assistance needs emerging from the country reviews under the first implementation review cycle (CAC/COSP/2017/7) and a conference room paper on data collection and effective case management systems. He also provided an update on the online directory of competent national authorities under the Convention (CAC/COSP/2017/CRP.3). The launch of a new online resource hub on international cooperation on the UNODC website was noted.

6. In the ensuing discussion, several speakers expressed support for the activities of the Open-ended Intergovernmental Working Group on Asset Recovery and the open-ended intergovernmental expert meetings to enhance international cooperation under the Convention. One speaker noted the importance of ensuring synergies between the subsidiary bodies of the Conference of the States Parties and the Working Group on International Cooperation under the Conference of the Parties to the United Nations Convention against Transnational Organized Crime.

7. Many speakers recalled that asset recovery was a fundamental principle of the Convention and called on States parties to effectively implement chapter V of the Convention and strengthen international cooperation in that area. Depriving criminals of their ill-gotten gains was considered a strong deterrent and a reinforcement of the rule of law. Some States shared examples of ongoing or concluded efforts to recover stolen assets.

8. Several speakers underlined the value of sharing good practices, knowledge and experiences in the complex field of asset recovery. Some speakers also emphasized the importance of building trust and confidence, developing cumulative knowledge, maintaining pragmatic dialogue and overcoming differences among legal systems. The key role of the second cycle of the Implementation Review Mechanism in facilitating information exchange and identifying good practices and existing challenges was emphasized by many speakers. To that end, one speaker encouraged States parties to publish their full country review reports.

9. Some speakers reported on recent national reforms aimed at implementing the requirements of the Convention on asset recovery and international cooperation. Such reforms included the adoption or amendment of relevant laws; the establishment of dedicated asset recovery offices; the development of handbooks, guides and manuals for practitioners; the development of guidelines on existing procedures for requesting States; and the introduction of non-conviction-based confiscation. It was noted that some countries had relied on the Convention as the legal basis to facilitate mutual legal assistance and extradition, either as the sole basis or in conjunction with bilateral treaties.

10. Several speakers referred to existing obstacles to successful asset recovery, including those relating to the identification, tracing, freezing, seizure and confiscation of assets; dual criminality; and statutes of limitation. Limited capacity of the practitioners involved and lack of political will and financial resources were noted as challenges by some speakers. In order to overcome some of the practical

obstacles to cooperation, States parties were encouraged to provide up-to-date information to the UNODC directory of competent national authorities.

11. Some speakers noted the importance of the technical assistance provided by UNODC, including through the StAR Initiative, in strengthening the capacity of States in the field of asset recovery.

12. Speakers underlined the importance and challenges of cooperation not only in criminal matters but also in civil and administrative proceedings for the purpose of asset recovery, although one speaker added that, in his country's view, the Convention did not contain any obligation in that regard. However, he suggested considering whether article 14 of the Convention could be used to facilitate such cooperation.

13. Reference was made to initiatives such as the Arab Forum on Asset Recovery and the Ukraine Forum on Asset Recovery, as well as the upcoming Global Forum on Asset Recovery, and their contribution to the effective return of stolen assets. In that respect, one speaker highlighted that, with the recent online publication of the Lausanne guidelines on asset recovery and the accompanying asset recovery guides, which were the outcome of the Lausanne process, a mandate given by the Conference in its resolution 5/3 had been fulfilled. Moreover, under the Addis Ababa Action Agenda and with the support of UNODC, Ethiopia and Switzerland had organized an international expert group meeting on asset management and good practices in the use of recovered assets, including for sustainable development.

14. Many speakers noted the efforts of national financial intelligence units to trace and freeze proceeds of corruption. In that context, those speakers called upon States to remove obstacles resulting from bank secrecy and to enhance beneficial ownership transparency.

15. The importance of international networks and channels for the exchange of confidential information, such as inter-agency networks for asset recovery and the Egmont Group of Financial Intelligence Units, was highlighted by speakers. The representative of INTERPOL added that, in addition to the Global Focal Point Network on Asset Recovery of INTERPOL and StAR, INTERPOL had created a secure communication system for asset recovery (I-SECOM), which was accessible through the INTERPOL I-24/7 secure communication network. Moreover, INTERPOL was reviewing the possibility of introducing a new, silver notice, specifically for the identification, tracing, confiscation and repatriation of assets.

16. The representative of the UNCAC Coalition urged States to limit the use and scope of immunities for public officials in order to end the impunity of corrupt individuals.